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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 15, 2001

APPLICATION OF

THE POTOMAC EDISON COMPANY
d/b/a ALLEGHENY POWER

CASE NO. PUE000280

For approval of a Functional
Separation Plan

ORDER ACCEPTING REPLY AND
AUTHORIZING FURTHER RESPONSES

On October 12, 2001, the Staff of the State Corporation Commission ("Staff") filed with the State Corporation Commission ("Commission") Staff's Report on the functional separation plan (Phase II) of The Potomac Edison Company, d/b/a Allegheny Power Company ("Allegheny" or "the Company").

On October 31, 2001, the Company, by counsel, filed its Comments in Response to the Staff's October 12, 2001 Report." On November 1, 2001, AES NewEnergy, Inc. ("AES"), by counsel, filed a Motion to File its Response Out of Time, together with its Reply Comments.

On November 7, 2001, Allegheny, by counsel, advised that it did not object to the receipt of AES' Reply comments out of time in this matter.

On November 14, 2001, the Staff filed a Motion to receive Staff's Reply as well as a "Reply to Allegheny's Comments in Response to Staff's October 12, 2001 Report and AES' Reply Comments". In that Motion, among other things, Staff advised that it did not oppose the receipt of AES' Reply Comments out of time and represented that Allegheny did not object to the receipt of Staff's Reply as long as the Company had the opportunity to file a further response to Staff's Reply. Staff's Motion requested the Commission to permit Allegheny and all parties to the proceeding to file a further response to its Reply.

NOW, UPON consideration of AES' Motion to receive its Reply Comments out of time, and the Staff's Motion to receive the Staff's Reply, the Commission is of the opinion and finds that AES' Motion should be granted and AES' Reply Comments should be filed; that the Staff's Motion should be granted and Staff's Reply should be filed; and that Allegheny and other interested parties to this matter should be given an opportunity to file further responses, if necessary, to the Staff's Reply.

Accordingly, IT IS ORDERED THAT:

(1) AES' November 1, 2001 Motion to File Response Out of Time is granted, and AES' Reply shall be deemed filed with the Commission.

(2) Staff's November 14, 2001 Motion is hereby granted and Staff's Reply shall be received and filed with the Commission.

(3) AES and other interested parties shall file an original and fifteen (15) copies of any further responses to the Staff's Reply by November 29, 2001, and shall on or before November 29, 2001, serve a copy of the same upon Staff and all parties of record in this matter.

(4) Allegheny shall file with the Clerk of the Commission an original and fifteen (15) copies of any further response to the Staff's Reply in on or before December 7, 2001, and shall on or before December 7, 2001, serve a copy of the same upon Staff and all parties of record.

(5) This matter shall be continued pending further Order of the Commission.